

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                                      |   |            |
|--------------------------------------|---|------------|
| ERIC MORTIMORE,                      | ) | 8:17CV66   |
|                                      | ) |            |
| Plaintiff,                           | ) |            |
|                                      | ) | MEMORANDUM |
| v.                                   | ) | AND ORDER  |
|                                      | ) |            |
| BRIGGS AND STRATTON, <i>et al.</i> , | ) |            |
|                                      | ) |            |
| Defendants.                          | ) |            |
| _____                                | ) |            |

On May 17, 2017, the court ordered Plaintiff to file an amended complaint within 30 days or face dismissal of this action. To date, Plaintiff has not filed an amended complaint or taken any other action in this matter.

IT IS THEREFORE ORDERED:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders.
2. The court will enter judgment by a separate document.

DATED this 26<sup>th</sup> day of June, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge